

S. B. 610

CHAPTER 947

AN ACT TO REQUIRE NONRESIDENT TRUSTEES OF DECEDENTS' PROPERTY TO APPOINT PROCESS AGENTS.

The General Assembly of North Carolina do enact:

Section 1. Chapter 28 of the General Statutes is hereby amended by inserting therein the following Section:

"§ 28-152. Distribution to Nonresident Trustee Only Upon Appointment of Process Agent. (a) No assets of the estate of a deceased person subject to administration in this State shall be delivered or transferred to a trustee of a testamentary trust or an inter vivos trust who is a nonresident of this State who has not appointed an agent for the service of civil process for actions or proceedings arising out of the administration of the trust with regard to such property.

"(b) If property is delivered or transferred to a trustee in violation of this Section, process may be served outside this State or by publication, as provided by the rules of civil procedure, and the courts of this State shall have the same jurisdiction over the trustee as might have been obtained by service upon a properly appointed process agent. The provisions of this Section with regard to jurisdiction shall be in addition to other means of obtaining jurisdiction permissible under the laws of this State."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall become effective October 1, 1967.

In the General Assembly read three times and ratified, this the 27th day of June, 1967.

S. B. 611

CHAPTER 948

AN ACT TO DEFINE THE TERM "NEXT OF KIN".

The General Assembly of North Carolina do enact:

Section 1. A new Section is hereby inserted in Chapter 41 of the General Statutes, to read as follows:

"§ 41-6.1. Meaning of 'Next of Kin'. A limitation by deed, will, or other writing, to the 'next of kin' of any person shall be construed to be to those persons who would take under the law of intestate succession, unless a contrary intention appears by the instrument."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 27th day of June, 1967.